

RESOLUTION NO. 3750

AUTHORIZING AND DIRECTING CONDEMNATION
OF REAL PROPERTY FOR PUBLIC LIBRARY
PURPOSES

BE IT RESOLVED by the Council of the City of Lodi
as follows:

The Council of the City of Lodi finds, determines
and hereby declares:

(1) That the public interest, necessity, and convenience require the acquisition, construction and completion in the City of Lodi of a public improvement, to wit: A public library on certain property at the Northeast corner of Pleasant Avenue and Locust Street, in the City of Lodi, San Joaquin County, California.

(2) That the real property hereinafter described is suitable, adaptable, necessary and required for the public use of said City of Lodi, as hereinabove set forth.

(3) That the City of Lodi acquire the hereinafter-described real property for public library purposes, by donation, purchase or by condemnation in accordance with the provisions of the Code of Civil Procedure of the State of California relating to eminent domain. That the City Attorney is hereby authorized to prosecute in the name of the City of Lodi, any and all actions or proceedings required to acquire the necessary land and/or to fix the compensation to be paid for property damage resulting from the construction and maintenance of said improvements; and in the absence of a satisfactory price agreement with the owner of the land, the City Attorney is hereby directed to immediately commence proceedings under Title Seven, Part Three of the Code of Civil Procedure of the State of California to condemn the property hereinafter described for the purpose of taking said land for the public use of said City as hereinabove set forth.

(4) To acquire in the name of the City of Lodi, a fee simple estate in and to the said hereinafter-described real property by condemnation in accordance with the provisions of the Education Code, Streets and Highways Code, Code of Civil Procedure, and the Constitution of California relating to eminent domain.

(5) To make application to a Court of competent jurisdiction for an order fixing the amount of such security in the way of money deposits as said Court may direct, and for an order permitting said City of Lodi to take immediate possession and use of said property, or interest in real property, or existing improvements for the public use as hereinabove set forth; to make deposit of such security or moneys in such amount so fixed and determined and in such

manner as said Court in which such condemnation proceedings are pending may direct.


(6) The real property, or interest in real property which the City of Lodi is by this Resolution authorized to acquire for said public improvements are situate in the City of Lodi, County of San Joaquin, State of California, and is particularly described as follows:

The South 117.00 feet of Lot 8, Block 1, MOSELUMNE (now CITY OF LODI), according to the Official Map or Plat thereof, filed for record August 25, 1869 and recorded in Vol. 2 of Maps and Plats, page 12, San Joaquin County Records.

Dated: March 21, 1973.

I hereby certify that the foregoing resolution was passed and adopted by the City Council of the City of Lodi in regular meeting held March 21, 1973, by the following vote:

AYES:	Councilmen - EHRHARDT, HUGHES, KATNICH, PINKERTON and SCHAFER
NOES:	Councilmen - None
ABSENT:	Councilmen - None


BESSIE BENNETT, City Clerk

The foregoing document is certified to be a correct copy of the original on file in this office.


BESSIE L. BENNETT, City Clerk
City of Lodi

Dated: April 6, 1973